

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA**

**ROGER BASKIN,**

**Plaintiff,**

**v.**

**CASE NO: 3:21-cv-00215-MHH**

**PIERCE & ALLRED  
CONSTRUCTION, INC.,**

**Defendant.**

**v.**

**RANDY AKINS, DWIGHT MEARS  
d/b/a DWIGHT MEARS ROOFING,  
AND MAINTENANCE PLUS HEATING  
& AIR CONDITION, INC.,**

**Third-Party Defendants.**

**JOINT MOTION FOR ENTRY OF REVISED SCHEDULING ORDER**

COMES NOW, the Plaintiff and Defendant/Third-Party Plaintiff and respectfully ask the Court to enter the agreed upon Revised Scheduling Order and as grounds for this Motion state as follows:

1. This matter involves claims of defective construction in a residential home built on Wilson Lake near Florence, Alabama.

2. After exchanging written discovery and obtaining the Plaintiff's deposition, the Defendant/Third-Party Plaintiff filed its Motion for Leave to add certain subcontractors as party Defendants.

3. The Third-Party Defendants were served in July 2022.

4. Since that time, undersigned counsel has attempted to work with the Third-Party Defendants to secure insurance coverage for the claim.

5. Additional discovery was delayed in an effort to involve the Third-Party Defendants.

6. It now appears that the Third-Party Defendants will not have insurance coverage for these claims and do not plan to make appearances in the case. The parties now intend to move forward with discovery without their involvement.

7. Given the agreed upon delays to involve the Third-Party Defendants in further discovery, the deadlines in the prior Scheduling Order need to be reset.

8. The Plaintiff and Defendant/Third-Party Plaintiff are in agreement regarding the proposed Revised Scheduling Order. At this time, the Third-Party Defendants have not yet made appearances in the case.

9. This motion is made by agreement of all parties that have appeared in the case.

WHEREFORE, PREMISES CONSIDERED, the Parties respectfully asks the Court to enter the agreed upon Revised Scheduling Order submitted separately to the Court per the Court's guidelines.

Respectfully submitted this 29<sup>th</sup> day of November, 2022.

**s/ Eugene N. Bulso, Jr.**

EUGENE N. BULSO, JR. (No. 12005)

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**s/ Matthew T. Dukes**

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